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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/669,702	09/25/2003	Fumio Honda	121.1057	6364

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STAAS & HALSEY LLP
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WASHINGTON, DC 20005

EXAMINER

NGUYEN, CAO H

ART UNIT	PAPER NUMBER
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2173

MAIL DATE	DELIVERY MODE
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01/03/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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Office Action Summary	Application No.	Applicant(s)	
	10/669,702	HONDA ET AL.	
	Examiner	Art Unit	
	Cao (Kevin) Nguyen	2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ____ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) ____ is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☐ Claim(s) ____ is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Allowable Subject Matter

Claims 2-9 are allowed over prior art of record.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 and 10-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kashiwagi et al. (US Patent No. 6,037,939) in view of Wistendahl et al. (US Patent No. 6,496,981).

Regarding claims 1 and 10, Kashiwagi discloses an interactive content presenting device, comprising a display section for displaying an image (see col. 6, lines 20-40); a coordinate input section for designating coordinates on the screen of the display section (see col. 3, lines 50-67); a coordinate converting section for converting converts the positional relationship between the coordinates designated by the coordinate input section and a predetermined position on the screen of the display section into one direction or a combination of plurality of directions (see col. 24, lines 4-49); however, Kashiwagi fails to explicitly teach a signal converting section for converting the combination converted by the coordinate converting section into a predetermined signal.

Wistendahl discloses a signal converting section for converting the combination converted by the coordinate converting section into a predetermined signal (see col. 15, lines 25-56). It would have been obvious to one of an ordinary skill in the art, having the teachings of Kashiwagi and Wistendahl before him at the time the invention was made, to modify a method for enabling interactive manipulation of data retained in computer system of Wistendahl to the system for converting media content for interactive TV use, as taught by Wistendahl. One would have been motivated to make such a combination in order to electing one of a plurality of interaction tools in accordance with the result of comparison of the variable value with the predetermined threshold value, each of the plurality of interaction tools providing a different method for manipulating the same data; and displaying the selected one of the plurality of interaction tools.

Claim 11, differs from claim 1 and 10 in that “a second step of producing one direction or a combination of plurality of directions reaching the first position from a second position via a specified position in the image, in order to obtain the positional relationship between the second position and the first position in the image; and a third step of converting the combination into a predetermined signal” as recites in Kashiwagi (see col. 24, lines 23-61 and col. 25, lines 6-30).

Regarding claims 12-14, Kashiwagi discloses wherein, in the second step, it is determined, from the second position, whether there is the specified position in the plurality of directions, and wherein the interactive content presenting method comprises a step of determining whether the specified position is the first position, when there is the specified position (see col. 10, lines 31-48).

Claim 15, differs from claim 1 and 11 in that “producing, from the received correlation, a combination of directions of the cursor key for moving from the inputted coordinates to a designated interactive component image; and designating an interactive component image based on the produced combination of directions of the cursor key”, as recites in Kashiwagi (see col. 13, lines 5-67).

Regarding claim 16, Wistendahl discloses an interactive content presenting device that selects an interactive component image displayed on the screen, based on the program (see col. 14, lines 23-67).

Response to Arguments

Applicant's arguments filed on 04/04/07 have been fully considered but they are not persuasive.

On pages 11-12 of the remark; Applicant argues that Kashiwagi and Wistendahl do not teach or suggest “a predetermined position on the screen of the display section into one direction or a combination of a plurality directions”. The Examiner respectfully disagrees. As shown in Figure 7A, Wistendahl teaches the DVD format further provides the capability for dual-layer recording which almost doubles its storage capacity on a single side. The second disk layer may be read from either direction. Thus, interactive program data can be stored in the second layer in proximity to the media content stored in the first layer. The hot spot position data can be stored in an initial segment of the disk recording and read into the player control module at the beginning of playback. Thereafter, when the user clicks or points at a hot spot during playback of the media content, the DVD player need only refocus to the second layer of the disk in the same proximate position to read out the interactive program data applicable to

the hot spot, thereby avoiding the need to delay the IDM sequence with seek time. The net result is instantaneous and seamless interactive play; see col. 16, lines 43-67.

In response to applicant's argument that a signal converting section for converting the one direction or the combination of the plurality of predetermined directions converted by the coordinate converting section into a predetermined signal, the fact that applicant has recognized another advantage which would flow naturally from following the suggestion of the prior art cannot be the basis for patentability when the differences would otherwise be obvious. See *Ex parte Obiaya*, 227 USPQ 58, 60 (Bd. Pat. App. & Inter. 1985).

Accordingly, the claimed invention as discussed in new ground rejection does not represent a patentable distinction over the art of record.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

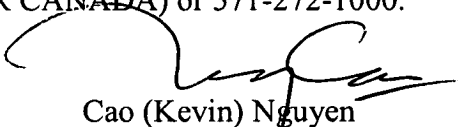
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cao (Kevin) Nguyen whose telephone number is (571)272-4053. The examiner can normally be reached on 8:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on (571)272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Cao (Kevin) Nguyen
Primary Examiner
Art Unit 2173

1/1/08